

REMARKS

Claims 1-18 are pending in the above-identified application, and were rejected. With this Amendment, claims 1, 9, 10, and 14 were amended. Accordingly, claims 1-18 remain at issue.

I. Double Patenting Rejection

Claims 1-18 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. 10/089,857. Claims 1-13 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14, 20-31, and 37-50 of copending Application no. 10/398,538. Applicant respectfully defers the submittal of a terminal disclaimer until the final scope of the claims is determined.

II. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claims 1-18 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 1-18 also were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses these rejections.


With this Amendment, claims 1 and 14 have been amended. Applicant respectfully submits that Applicant's amendment to claims 1 and 14 obviates these rejections. Accordingly, Applicant respectfully requests withdrawal of these rejections.

III. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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